

EDITORIALS.

CONTROVERSY IN ARIZONA.

The *Territorial Expositor*, published at Phoenix, Arizona, has contained some very fair and well written articles on the "Mormon" question, which has been made prominent in that Territory in consequence of the settlement therein of a number of our people. The *Expositor*, without endorsing our views or social customs has taken an unprejudiced view both of our faith and practice, and this has given umbrage to the dear good, pious Christian souls who think that no good thing can come out of "Mormondom," and whose knowledge of "Mormon" doctrines and doings consists of what they have learned from bitter, truthless and vicious anti-"Mormon" sources.

One writer signing himself "M." has taken the *Expositor* severely to task for its unbiased remarks, and that paper gives place to the long string of errors and platitudes put by its correspondent. In a succeeding number appears an able answer to "M" signed "Q," and also a reply by the editor which we here append as evidence of the candor and fairness of one journal in the region where our Arizona colonists are laboring to redeem the waste places and make the wilderness bloom with beauty and abundance:

"In the *Expositor* of August 22d, we published the communication of 'M.' under the caption 'That Mormon Question,' which was in reply to ours on the same subject, in the *Expositor* of the previous week. As our article was crowded out that week, and last week was also left out to give place to what we consider the sensible, moderate, and liberal remarks of 'Q,' we reply this week.

First—Our comments on the quotations from the *DESERT NEWS* were not too partial in the opinion of any except people of strong anti-Mormon proclivities; and we did not take the statements of the *DESERT NEWS* as the essence of truth but quoted them as the uncontradicted statements of an ably edited and, to all appearance, a fairly conducted newspaper. We consider that the statements made on one side of a question are always entitled to as much credit as are those made on the other, and if the one treats the subject in a moderate and inoffensive manner, while the other uses offensive and provoking language, we will be very apt to say that the moderate party has the better of the argument. In this connection we ask "M." to compare his own communication, in which he uses the sentence, "they see the sensual brutalizing influences which prevail in Utah;" with the reply of "Q," and we think his candor will compel him to say that what appears to him partiality, is founded on good reason.

Second—Our article in no sense branded all those who compose the Methodist, Presbyterian or any other organization, as "without character." It was plainly intended to designate that class of religionists—so-called Christians—no matter of what church, immortalized by Robert Burns under the title of "uncle" gild and rigidly righteous," who are always more concerned about their neighbors' faults and follies than their own.

Third—If "M." can vouch for the good "animus, character and effect" of the proselytizing party in Utah, and the bad "animus" etc. of polygamy, he takes more on himself than we will, except after a long and searching investigation. And more, we decline to place implicit confidence in the assertions of any proselytizing party, when contradicted by the facts at our own command; and as we cannot go to Utah we take the *Mormon* of Arizona as exponents of Mormonism elsewhere, and judged by this standard, the sentence of "M." concerning "sensual, brutalizing effects," as well as that about the "slavery of the women and ignorance of the children," are alike unjustified and unworthy consideration.

Fourth—The question of loyalty does not, in our opinion, deserve

one sentence in reply, and if it did, "Q" has well answered it; for the trick of denouncing our opponents in religion and politics, as disloyal, rebellious, etc., has been too often used by some but the extremely ignorant and prejudiced; and in our creed a good neighbor is always a good citizen and a good Christian. To do good is not only the best religion but the best proof of loyalty. As to the courts in Utah being a farce, we could most sincerely wish that it was only in Utah; and in prosecutions for polygamy that the notoriously guilty were able to mock at justice.

Fifth—"M." is plainly beyond his depth when he attempts to draw the line between opinions and what he calls overt acts; and he is still more out of his sphere when he compares polygamy with child murder. All jurists make a *mala in se* and *mala prohibita*—in other words, acts criminal in themselves as being manifestly against the law of nature, and acts harmless in themselves, but declared criminal by statute. Of the former class are murder, robbery, etc.; of the latter are polygamy, smuggling, etc., which are criminal or lawful according to time and place, at the will of the law-maker.

And now it appears to us that this whole controversy in Utah depends upon the answer to the question: Is polygamy wrong; is it really against nature or injurious to one's neighbors? and we don't think the question has yet been satisfactorily answered. True we are opposed to it; but does that give us any right, religiously or politically, to force our belief on others? When "M." speaks of the use of troops and contempt of courts in Utah, he proves too much, for we all know that courts can become truly contemptible and that troops can be used for a very bad purpose. In what we said about the virtue, industry and thrift of the Mormons, we spoke from what we saw in Texas and Arizona; and the assertions of people who imagine they are serving Christ by abusing and opposing their neighbors, is not sufficient to make us believe that a good man in Arizona is a demon in Utah; and even if he had played that part in the latter place, we would think that he only imitated other "Christians," by abusing power when he could.

In conclusion, by raising our voice for toleration and Christian forbearance towards the Mormons, we do not think we put ourselves on record as a Mormon, or even as partial to them, but if over-zealous anti-Mormons choose to give us that name, we can stand it. If polygamy is wrong, and we think it is, we had rather let it die a natural death as all religious errors have heretofore died, than to give it a new lease of life by attempts to kill it before its time."

THE UNRIGHTEOUS TERRITORIAL SYSTEM.

We copy the following letters from the *Arizonan*, on the subject of Territorial self-dom, because they touch on a subject of interest to all the people who inhabit those portions of the public domain which under the name of the Territories are governed by a worse than monarchial despotism. The writer is Gideon J. Tucker, Esq., of Prescott, Arizona, and we endorse his suggestion for a concerted movement among the Territories towards emancipation from the slavery of the present anomalous system.

This is letter No. 1:

"*Ed. Arizonan*: The foundation principle of the American political system has been repeatedly declared to be the right of self-government. The Constitution of the United States is supposed to rest upon that principle. In the language of the Declaration of Independence, we proclaim, as a people, to the entire world, that 'Governments derive their just powers from the consent of the governed.'"

And yet the United States deny to the American citizens, who have come out into these Territories to plant and to dig, to build up and to civilize, this right of self-government. Let a citizen, for instance, live near the boundary between California and Arizona. That boundary is a river. On the one side of the river, this citizen is of political status; he can vote for President of the United States, and for a

Representative in Congress, who can give voice and vote to his political views and preferences. He can vote for his own Governor, his own Judges, Legislators and local executive officers. Let him cross the Colorado, he is a political enslave. He is bereft of almost all his civic rights. He is not a freeman; he is a man to be governed from Washington. His law-makers and law expounders, and law executors come from thousands of miles away, — strangers to him, to his interests, and to his wants and preferences. For him the glittering generalities of the Declaration of Independence do not exist. "The consent of the governed," would raise a laugh among the department clerks under Secretary Schurz. "The right of self-government is all well enough in the States, you know, — but as to the hundreds of thousands of citizens in the Territories, why! it is quite another thing, you know." They would probably tell us, at Washington, that Thomas Jefferson, when penning that immortal document, never contemplated the probable future population of the western country, and their rights.

What we desire every reader of this paper to do, is to ask himself the question, "Why should I not have the same rights as a freeman, now that I live in Arizona, as I had when I lived in California, or Ohio, or New York?" And if he concludes he ought to have, let him begin to agitate for the restoration of his freedom.

And here is letter No. 2:

"Claiming that an American citizen should have the same political right in a Territory as he would have in a State, is it not worth while for us to consider how this claim should be asserted? The evils of the present pro-consular system of governing the Territories from the Interior Department and the Senate chamber at Washington, are too great and too pressing to be long tolerated by freeborn and intelligent communities. What is the remedy? By what road shall we advance to the right of self-government?"

There is the Maginnis bill, so called, which was introduced into the House of Representatives by Delegate Maginnis, of Montana, and which was approved of by the *Enterprise*, *Expositor* and the *Miner*, and by some others also of our Territorial papers, if I mistake not. It proposes to give the people of each Territory the right to elect Governor, Secretary, Treasurer, Attorney-General and Justices of Supreme Court. It gives a Territory almost unlimited self-government, so far as it relates to Territorial affairs. But it brings the Territories into no closer relation than at present, with the Federal Government. They are, as to all Federal matters, still to be left as but colonies. No voice in Congress, no vote for President is proposed to be conferred on us by the Maginnis bill.

A concerted movement on the part of the people of the Territories might secure the enactment of the Maginnis bill, at the next session of Congress, which begins in December, '79. If the newspapers of the Territories were to take up the subject, the pressure that would be brought to bear might shame the politicians at Washington into doing us justice.

The fact that there is a democratic majority of ten in the United States Senate, and that that majority is not liable any longer to confirm Hayes' republican nominees for Territorial offices, might even convert the man of the White House to the Maginnis bill; he might be willing that the republican voters in the Territories should hereafter take their share in a popular scramble for the places which he and his cabinet can no longer monopolize.

PRESCOTT, Sept. 13th, 1879.

SECRETARY EVARTS' CIRCULAR LETTER.

SEVERAL eastern papers publish the full text of Secretary Evarts' circular letter of instruction to the diplomatic officers of the United States in various European countries. We have been looking for some time for the much-talked-of document, and now present it to our readers as a specimen of the folly of the head of the State Department of the Government of this enlightened Republic. The

blanks in the circular are filled up according to the name of the country to which the person receiving it is accredited:

"Sir—The annual statistics of emigration into the United States show that large numbers of emigrants come to our shores every year from the various countries of Europe for the avowed purpose of joining the Mormon community at Salt Lake, in the Territory of Utah, under the auspices and guidance of the emissaries and agents of that community in foreign ports. This representation of the interests of Mormonism abroad, which has been carried on for years, is understood to have developed unusual activity of late, especially in —, among other countries where it has unfortunately obtained a greater or less foothold. The system of polygamy, which is prevalent in the community of Utah, is largely based upon and promoted by these accessions from Europe, drawn mainly from the ignorant classes, who are easily influenced by the double appeal to their passions and their poverty, held out in the flattering picture of a home in the fertile and prosperous region, where Mormonism has established its material seat. Inasmuch as the practice of polygamy is based on a form of marriage by which additional wives are 'sealed' to the men of that community, these so-called 'marriages' are pronounced by the laws of the United States to be crimes against statutes of the country, and punishable as such. On the 1st of July, 1862, the Congress of the United States passed an act expressly designed, as appears from its title, 'to punish and prevent the practice of polygamy in the Territories of the United States and other places,' etc. That act remains the law of the land as to its continuing provisions, which, in the revision of the statutes of the United States made in 1874, read as follows:

SECTION 5352. Every person having a husband or wife living, who marries another, whether married or single, in a Territory or other place over which the United States have exclusive jurisdiction, is guilty of bigamy, and shall be punished by a fine of not more than \$500, and by imprisonment for a term not exceeding more than three years. But this section shall not extend to any person by reason of any former marriage whose husband or wife by such marriage is absent for five successive years, and is not known to such person to be living; nor to any person by reason of any former marriage which has been dissolved by a decree of a competent court; nor to any person by reason of any former marriage which has been pronounced void by decree of a competent court on the ground of nullity of the marriage contract."

Whatever doubt, if any, has heretofore existed as to the efficiency of the law above cited, and the intent of the general government to enforce it, has now been terminated by the recent decision of the Supreme Court, the highest judicial tribunal of the land, sustaining the constitutionality of the legislation and affirming the conviction and punishment of offenders against that law.

Under whatever specious guise the subject may be presented by those engaged in instigating the European movement to swell the numbers of the law-defying Mormons of Utah, the bands and organizations which are got together in foreign lands as recruits cannot be regarded as otherwise than a deliberate and systematic attempt to bring persons to the United States with the intent of violating their laws and committing crimes expressly punishable under the statute as penitentiary offences.

No friendly power will, of course, knowingly lend its aid, even indirectly, to attempts made within its borders against the laws and government of a country wherewith it is at peace with established terms of amity and reciprocal relations of treaty between them; while, even were there no question involved of open and penal infraction of the laws of the land, every consideration of comity should prevail to prevent the territory of a friendly State from becoming a resort or refuge for the crowds of misguided men and women whose offences against morality and decency would be intolerable in the land from whence they come.

It is not doubted, therefore, that when the subject is brought to its attention, the government of —

will take such steps as will be compatible with its laws and usages to check the organization of these criminal enterprises by agents who are thus operating beyond the reach of the law of the United States, and to prevent the departure of those proposing to come hither as violators of the law by engaging in such criminal enterprises, by whomsoever instigated.

You are instructed, therefore, to present the matter to the government of — through the minister of foreign affairs, and to urge earnest attention to it in the interest not merely of a faithful execution of the law of the United States, but of the peace, good order and morality which are cultivated and sought to be promoted by all civilized countries. You will fortify your representations on the subject of the citation of any facts which may come to your notice concerning emigration of this character from —, and to this end the consular officers in your jurisdiction have been instructed to communicate to you what information with regard thereto may come to their knowledge. Your timely protest in cases where the probable departure of Mormon emigrants is reported or known to you, would probably prove a weighty auxiliary to the general representations you are instructed to make. You are also authorized in your discretion to call attention to the subject and the determined purpose of this government to enforce this law and eradicate this institution, through the public press of the principal cities or parts of the country, as you may find it useful towards the end in view. I desire to be informed of the steps taken by you under these instructions, and of the disposition shown in reference to the same by the government to which you are accredited.

I am, sir, your obedient servant,

WM. M. EVARTS.

Washington, D.C.,

August 9, 1879.

The logic and the grammar of the great Evarts are both palpably at fault in this remarkable production. "The bands and organizations which are got together," he characterizes as an "attempt" (where did Evarts go to school?) and says, "they cannot be regarded as otherwise than an attempt to bring persons to the United States with the intent of violating their laws and committing crimes." Why can they not be "regarded as otherwise?" Who can judge of the intent of a man, woman or child who embarks on a vessel bound for the port of New York, except the intent to cross the ocean? Unless an intention is expressed by an individual to break the laws of the United States, no person has the right to assert that such an intention exists. If every "Mormon" emigrant entered into an agreement to become a practical polygamist, or every person on coming to Utah was compelled to contract plural marriage, there might be some ground for such a presumption as the muddled Secretary's. But the people referred to are not gathered in "bands" for any such purpose as alleged in the circular, either by design or implication. They embrace the faith of the Latter-day Saints and in accordance with one of its doctrines, gather with the body of the Church. They do not come to the United States as paupers, or criminals, or disturbers of the public peace, but have been pronounced by those who have the means of knowing best, on both sides of the Atlantic, the most orderly, intelligent, cleanly and apparently well-to-do class of emigrants that leave Liverpool or enter the port of New York.

But Evarts says to commit crime is their intent, "no matter under what specious guise the subject may be presented." What "subject?" He does not specify any subject. He thinks "every consideration of comity should prevail to prevent the territory of a friendly State from becoming a resort or refuge for the crowds of misguided men and women whose offences against morality and decency would be intolerable in the land from whence they come." What in the world does he mean by this singular sentence? Does he intend to convey the idea that all "Mormon" emigrants are guilty of offences against morality and decency before they leave their native lands? If so they should be dealt with there, as the laws may prescribe. If not, how does he know or on what ground does he presume that they will be—